

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

LAURO VALDES, CESAR LOPEZ, and  
JAVIER HERNANDEZ,

*Plaintiffs,*

v.

NORTH EAST SITE WORKS, INC., SAM  
BORRELLI, JR. AND VIRGIL BORRELLI

*Defendants.*

Case No.: 7:23-cv-01409-PMH

**~~PROPOSED~~ DEFAULT JUDGMENT**

This action having been commenced on February 21, 2023 by the filing of the Complaint, and a copy of the Summons and Complaint having been personally served on defendants North East Site Works, Inc., Sam Borrelli, Jr., and Virgil Borrelli (“Defaulting Defendants”) on March 9, 2023 and March 23, 2023, and proof of such service having been filed on March 16, 2023 and April 5, 2023 and Defaulting Defendants not having answered the Complaint, and the time for answering the Complaint having expired, and the Clerk of Court having issued a certificate of default as to each defaulting defendant,

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that judgment is hereby entered, jointly and severally, against defendants North East Site Works, Inc., Sam Borrelli, Jr., and Virgil Borrelli, jointly and severally, in the following amounts: (1) \$301,283.15 [plus prejudgment interest accruing at a rate of \$30.35 per day for each day after August 1, 2023 until entry of judgment] in damages to Lauro Valdes, \$38,656.34 [plus prejudgment interest accruing at a rate of \$3.25 per day for each day after August 1, 2023 until entry of judgment] in damages to Cesar Lopez, and \$39,231.07 [plus prejudgment interest accruing at a rate of \$3.33 per day for each day after August 1, 2023 until entry of judgment] in damages to Javier

Hernandez; (2) \$27,387.50 in attorneys' fees; and (3) post-judgment interest accruing at the statutory rate provided for in 28 U.S.C. § 1961, running from the date of entry of this Judgment.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to NYLL §§ 198(4) and 663(4), "if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent."

Accordingly, the Clerk of Court is respectfully requested to close the case.

Dated: White Plains, NY

September 7, 2023

**SO ORDERED:**



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PHILIP M. HALPERN  
United States District Judge